

## EXHIBIT 4

### DIVISION INVESTIGATION REPORT

#PR-3106-14-0097-D



## South Carolina Department of Public Safety

### DIVISION INVESTIGATION REPORT

Case Number: DI-3106-14-0097-D

**SUBJECT:** Corporal C. A. Dollard

**COMPLAINANT:** Sergeant C. D. Kyzer

**INVESTIGATOR:** Lt. R. L. Williams

**ALLEGATION(S):** **Alleged Improper Conduct:** Corporal Dollard conducted herself unprofessionally while assisting a stranded motorist on July 25, 2014. She allegedly slammed her fist against the trunk of a motorist's vehicle when she became frustrated by this motorist's actions.

**Alleged Improper Procedures:** Corporal Dollard failed to adhere to Division protocols concerning Driver/Vehicle Examinations, Out of Service Procedures and state statute concerning public contact data collection (56-5-6560). She stopped a CMV on April 22, 2014 with an obvious out of service violation but failed to properly document the out of service violation or initiate enforcement action.

Dollard also failed to adhere to Department policy when she failed to wear her issued body armor during this traffic stop and motorist assist.

#### INVESTIGATIVE INTRODUCTION

This investigation stems from a complaint from Sergeant C. D. Kyzer, Senior Supervisor of STP District Six. Sgt. Kyzer received information from L/Cpl. J. H. Harter that while assisting a motorist on Interstate 26 on July 25, 2014, that Cpl. Dollard slammed her fist against the motorist's vehicle.

While viewing the incident in question, other matters regarding safety, procedure, and DPS policy were noted. This, in turn, led to the viewing of more of Corporal Dollard's videos to



## South Carolina Department of Public Safety

determine whether there was a pattern of these types of concerns or any other issues of a serious nature closely related to the ones noted in the original complaint.

As a result of viewing more of Cpl. Dollard's videos, more evidence of policy and procedural violations were discovered.

### INVESTIGATION

I interviewed L/Cpl. J. H. Harter at 8:05 a.m. on August 18, 2014 at the Dorchester County Eastbound Weigh Station on Interstate 26. Harter stated that on July 25, 2014, he was assisting at the scene of a traffic collision at mile marker 159, that he was advised by L/Cpl. Hallinquest (also at the scene) that Cpl. Dollard needed assistance with an automobile at the 165 mile marker. The stranded automobile had a flat tire, would not start, and was resting halfway in the median and halfway in the #1 lane of travel. After reviewing this video and the follow-up interviews, it was noted that the driver was a female and the passenger in the front seat was a nine year old boy.

According to Harter, Hallinquest had advised him that Dollard was low on fuel as well.

Harter noted that he and Dollard had a difficult time removing the vehicle from the lane of travel and that the wiring from the firewall had become entangled in the flat tire and wheel making it difficult to push. Additionally, on a couple of occasions Harter said he thought he saw the lights illuminated as if the female driver had her foot on the brake pedal. Harter noted that the female driver was putting her vehicle in "park" instead of leaving it in "neutral", thereby contributing to the difficulty removing it from the road.

During the assistance of this motorist, Harter noted that Dollard struck the trunk of the motorist's vehicle. On the video, this can be viewed at the 15:33 mark.

While viewing this assistance of a motorist, it is noted that Cpl. Dollard is not wearing her issued body armor.

Additionally, of note, at the 7:00 minute mark, as the female passenger approaches Dollard's vehicle, Dollard can be heard attempting to give the woman directions from inside of her patrol vehicle. Dollard makes the statement "What in the Hell is wrong with this crazy woman?"



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While outside of the vehicle, Dollard cannot be heard. She indicates, during her interview, that she believes she left her body mic in the cradle inside her patrol vehicle.

I interviewed Cpl. Dollard at 3:12 p.m. on August 19, 2014 at the Dorchester County Eastbound Weigh Station.

Cpl. Dollard stated that she did strike the vehicle with her hand but she said it was not in anger.

Cpl. Dollard was also interviewed on the same date, noted above, in reference to a stop she made in Hemingway, SC on April 22, 2014 at 7:30 a.m.

Dollard stopped an empty wood-chip hauler for a flat-tire violation. Dollard does not call the stop in to telecommunications; Dollard escorts the CMV a short distance to where he can have the tire replaced. Dollard then instructs the driver, verbally, that he is out of service and must not operate his CMV until the tire is replaced. She then leaves the scene without conducting an inspection, placing an out of service sticker on the truck, or completing any type of documentation.

Additionally during this stop, Dollard is not wearing her issued body armor.

When asked about this stop, during the interview, Dollard stated that she did not conduct an inspection due to the close proximity to where she was escorting the driver for repairs. Dollard states, during the interview, that she has stopped this same company's vehicles for operating after being placed out of service in the past.

Dollard stated that she "Dropped the ball" during this stop and that she had "No excuses".

Due to the initial complaint and the additional policy and procedure violations noted in the original video, more of Cpl. Dollard's videos were reviewed to assess whether there was more actions akin to the ones investigated above.

A review of other videos noted a consistency in not calling in stops to telecommunications, failure to properly document out of service drivers/vehicles, failure to wear her issued body armor, failure to provide documentation of traffic stops/inspections, reducing/making the incorrect charge on a school bus stop sign violation (May 5, 2014), as well as an inordinate amount of time on one particular day (January 7, 2014) working outside of her assigned district without prior approval.

Specific examples of the above mentioned instances are on included DVD copies which also present evidence on April 21, 2014 at 12:31 p.m. of Cpl. Dollard behind an automobile on an interstate roadway when she activates her patrol vehicle's blue lights and is audibly heard saying,



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"now let's see if you can't get the fuck over". Dollard issues no public contact documentation to this driver, or contacts the local dispatch, and is also seen on video not wearing her issued body armor.

Another instance on April 21, 2014, Dollard is seen on video stopping a CMV driver for a seatbelt violation in which she fails to document this public contact and isn't wearing her issued body armor.

### CONCLUSION

After investigating these matters to include reviewing the videos and interviewing the subjects involved, I find there is sufficient evidence that Corporal C.A. Dollard did strike a motorist's vehicle with her hand on July 25, 2014.

After reviewing the video and interviewing Cpl. Dollard in reference to her stop of a CMV on April 22, 2014, it is evident by video/audio as well as Dollard's statements, during the interview, that there is sufficient evidence she failed to properly document and procedurally place a CMV out of service per STP procedure.

There is sufficient evidence that Dollard fails to adhere to state statute 56-5-6560 by not documenting her public contacts on a regular basis.

Dollard also failed to wear her issued body armor as prescribed by DPS Policy on instances that were investigated.

### CLASSIFICATION

**ALLEGATION(S):** Alleged improper conduct that Cpl. Dollard conducted herself unprofessionally while assisting a stranded motorist on July 25, 2014. She allegedly slammed her fist against the trunk of a motorist's vehicle when she became frustrated by this motorist's actions. Sustained

Alleged improper procedures that Cpl. Dollard failed to adhere to Division protocols concerning Driver/Vehicle Examinations, Out of Service Procedures and state statute concerning public contact data collection. She stopped a CMV on April 22, 2014 with an obvious out of service violation but failed to properly document the out of service violation or initiate enforcement action. Sustained



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Cpl. Dollard also failed to adhere to Department policy when she failed to wear her issued body armor during this referenced traffic stop and motorist assist. **Sustained**

DPS-OPR04

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OPR File # DI-3106-14-0097-D**WARNING TO EMPLOYEE REGARDING CONFIDENTIALITY**

In accordance with South Carolina Department of Public Safety (SCDPS) Policy Directive Number 400.08, Office of Professional Responsibility, I have been directed by Lt. R.L. Williams, a liaison with the Office of Professional Responsibility (OPR), to keep confidential any investigative-related conversation or information concerning the investigation of OPR File # DI-3106-14-0097-D earned through any contact with an Investigator, to the extent that such directive neither prohibits nor infringes upon my right to legal counsel.

Accordingly, I will keep confidential all communications with OPR or Investigators assigned thereto, to the extent that confidentiality does not inhibit my right to legal counsel. I will also keep all written statements confidential and will not furnish copies to anyone other than my attorney.

**ACKNOWLEDGEMENT**

I have read the above warnings and understand my rights and responsibilities as stated herein.

Employee: [Signature] Date: 8-18-14

Investigator: [Signature] Date: 8-18-2014

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

OPR File# DI-3106-14-0097-D

### WARNING TO EMPLOYEE REQUIRED TO PROVIDE INFORMATION

The purpose of this interview is to obtain information which will assist in the determination of whether administrative action is warranted.

You will be asked a number of specific questions regarding the performance of your official duties, or to any questions related to the Department's standard of conduct.

You have a duty to respond to these questions truthfully and to the best of your ability. Agency disciplinary action, including dismissal, may be undertaken if you refuse to answer or fail to reply fully and truthfully.

Neither your answers nor any information or evidence gained by reason of your answers can be used against you in any criminal proceeding, except that if you knowingly and willfully provide false statements or information in your answers, you may be criminally prosecuted for that action. The answers you furnish and any information or evidence resulting therefrom may be used in the course of an agency disciplinary proceeding which could result in disciplinary action, including dismissal.

### ACKNOWLEDGEMENT

I have read the above warnings and understand my rights and responsibilities as stated herein.

Employee [Signature] Date: 8-18-14

Investigator [Signature] Date: 8-18-2014

Witness \_\_\_\_\_ Date: \_\_\_\_\_



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OPR File # DI-3106-14-0097-D**WARNING TO EMPLOYEE REGARDING CONFIDENTIALITY**

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Accordingly, I will keep confidential all communications with OPR or Investigators assigned thereto, to the extent that confidentiality does not inhibit my right to legal counsel. I will also keep all written statements confidential and will not furnish copies to anyone other than my attorney.

**ACKNOWLEDGEMENT**

I have read the above warnings and understand my rights and responsibilities as stated herein.

Employee: *John Harte* Date: 8-18-2014

Investigator: *John Y. Davis* Date: 8-15-2014

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

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OPR File# DI-3106-14-0097-D

### WARNING TO EMPLOYEE REQUIRED TO PROVIDE INFORMATION

The purpose of this interview is to obtain information which will assist in the determination of whether administrative action is warranted.

You will be asked a number of specific questions regarding the performance of your official duties, or to any questions related to the Department's standard of conduct.

You have a duty to respond to these questions truthfully and to the best of your ability. Agency disciplinary action, including dismissal, may be undertaken if you refuse to answer or fail to reply fully and truthfully.

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### ACKNOWLEDGEMENT

I have read the above warnings and understand my rights and responsibilities as stated herein.

Employee John Harte Date: 8-18-2014

Investigator [Signature] Date: 8-18-2014

Witness \_\_\_\_\_ Date: \_\_\_\_\_



South Carolina Department of Public Safety  
State Transport Police Division

MEMORANDUM

TO: Richard G. Shell  
Captain

FROM: Leroy Taylor  
Colonel *LT*

DATE: August 4, 2014

SUBJECT: OPR File #DI-3106-14-0097-D  
Cpl. C. A. Dollard  
Alleged Improper Conduct

Please have Lt. Robert L. Williams conduct a full investigation into the complaint alleging improper conduct by Cpl. C. A. Dollard. All witnesses are to be interviewed and statements are to be properly documented. Return your findings and recommendations to my office in writing within 10 days.

As always, your immediate attention to this request is appreciated.

LT/mtm

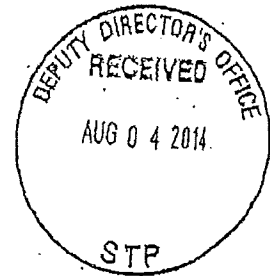
Attachments

SCDPS PDF File #36429  
OPR File #DI-3106-14-0097-D

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South Carolina Department of Public Safety  
Office of Professional Responsibility



MEMORANDUM

TO: Colonel Leroy Taylor  
State Transport Police

FROM: Chief K. D. Phelps *KDP*

DATE: August 1, 2014

SUBJECT: OPR File #DI-3106-14-0097-D  
Cpl. C. Dollard  
Alleged Improper Conduct

In accordance with Department guidelines, the attached complaint regarding alleged improper conduct by Cpl. C. Dollard is forwarded for your review.

Please refer to the attached correspondence which details the events concerning the complaint. If there is a video tape of this incident, please forward a copy in the investigative packet. Please note that a recorded copy of an interview with the subject is also to be sent back to the OPR upon completion of this investigation.

The OPR will suspense a copy of this complaint. Please contact the OPR at the conclusion of your investigation for final report review and coordination of any recommended disciplinary action. If the OPR can be of any further assistance, please do not hesitate to call 896-8240.

/ss

Attachments



South Carolina Department of Public Safety  
Office of Professional Responsibility

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August 1, 2014

Cpl. C. Dollard  
State Transport Police  
District 6

RE: OPR File #DI-3106-14-0097-D

Dear Corporal Dollard:

The Office of Professional Responsibility (OPR) has received a complaint alleging improper conduct against you as a result of a July 25, 2014, incident. As you know the Department is committed to providing law enforcement and other services that are fair, effective, and impartially applied. The Department also strives to provide citizens with a fair and effective avenue for redress of their legitimate grievances against Department employees, and by the same token, to protect those same employees from false allegations of misconduct or wrongdoing.

This complaint has been referred to your District Supervisor for investigation. You may contact your Supervisor if you have any questions.

This letter is to notify you that an investigation into the complaint has been initiated. The OPR has the responsibility to conduct and/or oversee all investigations of alleged misconduct by Department employees and to uncover, fully develop, and objectively report all facts and circumstances surrounding allegations or complaints of misconduct to the Director. As part of the investigation, you will be interviewed. Until that time, if you have any questions, please feel free to contact your chain of command. Additionally, South Carolina Department of Public Safety Policy Directive 100.07 may provide relevant information to you.

Sincerely,

Chief K. D. Phelps

/ss

C: Colonel Leroy Taylor

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**Smith, Susanne G.**

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**From:** Phelps, Kenneth D.  
**Sent:** Wednesday, July 30, 2014 5:07 PM  
**To:** Smith, Susanne G.  
**Subject:** FW: Request for proper investigation

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**From:** Taylor, Leroy  
**Sent:** Wednesday, July 30, 2014 5:03 PM  
**To:** Phelps, Kenneth D.  
**Cc:** Moye, Moniet T.  
**Subject:** Request for proper investigation

Chief Phelps,

With this e-mail I am requesting an official investigation for the alleged misconduct of Corporal Cassandra Dollard of STP District Six. I received information that on July 25<sup>th</sup>, 2014, while assisting L/Cpl. Harter with pushing a disabled motorist out of the roadway, Corporal Dollard became frustrated with the female driver for putting on brakes and punched the motorist vehicle with her hand.

Colonel Leroy Taylor  
Deputy Director, State Transport Police  
South Carolina Department of Public Safety  
10311 Wilson Boulevard, Post Office Box 1993  
Blythewood, South Carolina 29016

Office (803) -896-4622  
Fax (803) -896-5106  
[Leroytaylor@scdps.gov](mailto:Leroytaylor@scdps.gov)  
[www.scdps.org/scstp](http://www.scdps.org/scstp)

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**Moye, Moniet T.**

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**From:** Taylor, Leroy  
**Sent:** Wednesday, July 30, 2014 5:03 PM  
**To:** Phelps, Kenneth D.  
**Cc:** Moye, Moniet T.  
**Subject:** Request for proper investigation

Chief Phelps,

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Colonel Leroy Taylor  
Deputy Director, State Transport Police  
South Carolina Department of Public Safety  
10311 Wilson Boulevard, Post Office Box 1993  
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Office (803) -896-4622  
Fax (803) -896-5106  
[Leroytaylor@scdps.gov](mailto:Leroytaylor@scdps.gov)  
[www.scdps.org/scstp](http://www.scdps.org/scstp)

South Carolina Department  
of Public Safety



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**Moye, Monlet T.**

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From: Taylor, Leroy  
Sent: Monday, August 04, 2014 10:24 AM  
To: Williams, Robert L.  
Cc: Shell, Richard; Moye, Monlet T.  
Subject: Request for video tape

Lieutenant,  
Please collect and forward to my attention a copy of Corporal Dollard's video tape on 7-25-14, between 1215 hrs and 1245 hrs. Thanks

Colonel Leroy Taylor  
Deputy Director, State Transport Police  
South Carolina Department of Public Safety  
10311 Wilson Boulevard, Post Office Box 1993  
Blythewood, South Carolina 29016

Office (803) -896-4622  
Fax (803) -896-5106  
[Leroytaylor@scdps.gov](mailto:Leroytaylor@scdps.gov)  
[www.scdps.org/scstp](http://www.scdps.org/scstp)



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**Shell, Richard**

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**From:** Taylor, Leroy  
**Sent:** Monday, August 18, 2014 3:51 PM  
**To:** Phelps, Kenneth D.  
**Cc:** Moye, Moniet T.  
**Subject:** FW: Cpl. Dollard

Chief Phelps,

For your attention and proper handling, I am requesting an investigation on Corporal C. A. Dollard of STP District 6 for failing to follow operating procedures and failing to wear body armor. On April 22, 2014, around 0730 hrs, Corporal Dollard initiated a traffic stop on a tractor and trailer for operating with a flat tire. By procedure a level one inspection should have been conducted, an inspection report should have been completed officially placing the truck out of service (out of service violation). Corporal Dollard failed to conduct an inspection, failed to officially place the truck out of service and failed to issue a public contact form according to policy. An inspection report would have taken the place of a public contact form.

Colonel Leroy Taylor  
Deputy Director, State Transport Police  
South Carolina Department of Public Safety  
10311 Wilson Boulevard, Post Office Box 1993  
Blythewood, South Carolina 29016

Office (803) -896-4622  
Fax (803) -896-5106  
[Leroytaylor@scdps.gov](mailto:Leroytaylor@scdps.gov)  
[www.scdps.org/scstp](http://www.scdps.org/scstp)

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**From:** Shell, Richard  
**Sent:** Monday, August 18, 2014 1:37 PM  
**To:** Taylor, Leroy  
**Subject:** Cpl. Dollard

CMV flat tire, no inspection or body armor worn on 4/22/14 at 7:30 a.m.

Captain Richard Shell  
State Transport Police  
South Carolina Department of Public Safety  
10311 Wilson Boulevard  
Blythewood, SC 29016  
803-896-5521 (office)  
803-896-5526 (fax)  
[rgshell@scdps.gov](mailto:rgshell@scdps.gov)  
[www.scdps.gov/scstp](http://www.scdps.gov/scstp)

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Shell, Richard

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From: Shell, Richard  
Sent: Monday, August 18, 2014 1:37 PM  
To: Taylor, Leroy  
Subject: Cpl. Dollard

CMV flat tire, no inspection or body armor worn on 4/22/14 at 7:30 a.m.

Captain Richard Shell  
State Transport Police  
South Carolina Department of Public Safety  
10311 Wilson Boulevard  
Blythewood, SC 29016  
803-896-5521 (office)  
803-896-5526 (fax)  
[rgshell@scdps.gov](mailto:rgshell@scdps.gov)  
[www.scdps.gov/scstp](http://www.scdps.gov/scstp)